

ZB# 77-19

Ralph Faricellia

13-2-1

77-19 - Jaricella, Ralph - area variance

Public Hearing -

July 18, 1977 - 8:15 p.m.

Sent Notice to News - 4/14/77.
24

Fee unpaid - \$25.00

Fee to Town Clerk

7/22/77. PL.

File in Town Clerk's

Office.

GENERAL RECEIPT

3343

Town of New Windsor, N. Y.

July 29, 1977

Received of Michael Colandrea \$ 25.00

Twenty-five and 00/100 Dollars

For 77-19 Variance Application

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>25.00</u>		
<u>check</u>		

BY Charlotte Marcantonio

TITLE

WILLIAMSON LAW BOOK CO., ROCHESTER, N. Y. 14609

*Received
8/26/77*

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

77-19
(Number)

6/14/77
(Date)

I. Applicant information:

- (a) RALPH FARICELLIA, 114 Walsh Road, New Windsor, N. Y.
(Name, address and phone of Applicant)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

III. Property information:

- (a) R-5 Intersection of 3 2 1 37,800 Sq. Ft.
(Zone) Carol Ave. & Clancy Ave. (M B L) (Lot size)
(Address)
- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? no
- (d) When was property purchased by present owner? 1956
- (e) Has property been subdivided previously? no When? -
- (f) Has property been subject of variance or special permit previously? no When? -
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? yes. If so, when June 1, 1977

77-19
(Number)

6/14/77
(Date)

I. Applicant information:

- (a) RALPH FARICELLIA, 114 Walsh Road, New Windsor, N. Y.
(Name, address and phone of Applicant)
- (b) -
(Name, address and phone of purchaser or lessee)
- (c) -
(Name, address and phone of attorney)
- (d) -
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

III. Property information:

- (a) Rs-5 Intersection of Carol Ave & Clancy Ave. 13 2 1 37,800 Sq. Ft.
(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? -
- (c) Is a pending sale or lease subject to ZBA approval of this application? no
- (d) When was property purchased by present owner? 1956
- (e) Has property been subdivided previously? no When? -
- (f) Has property been subject of variance or special permit previously? no When? -
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? yes. If so, when June 1, 1977
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. no

☐ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow _____

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☒ V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table Use Reqs., Column 4

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	<u>37,800 sq. ft.</u>	<u>17,200 sq. ft.</u>
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>/</u>	<u>/</u>	<u>/</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

* Residential districts only

** Non-residential districts only

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table Use Reqs. Column 4

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	<u>37,800 sq. ft.</u>	<u>17,200 sq. ft.</u>
Min. Lot Width		
Reqd. Front Yard		
Reqd. Side Yards	<u>/</u>	<u>/</u>
Reqd. Rear Yard		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Development Coverage* %	%	%
Floor Area Ratio**		

* Residential districts only

** Non-residential districts only

- ☒ (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

☐ VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____sq.ft.	_____sq.ft.	_____sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?



VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

_____.

☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

☐ IX. Attachments required:

- ☒ Copy of letter of referral from Building and Zoning Inspector.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of tax map showing adjacent properties
- ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in amount of \$26.00 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping

- (b) Describe in detail the use and structures proposed for the special permit.



VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)



IX. Attachments required:

- ☒ Copy of letter of referral from Building and Zoning Inspector.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of tax map showing adjacent properties
- ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in amount of \$26.00 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.
- All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- ☐ Other

X. AFFIDAVIT.

Date 6/14/77

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

X Ralph Larcella
(Applicant)

Sworn to before me this

14th day of June, 1977.

PATRICIA RAZANSKY
Notary Public, State of N.Y.
No. 6970776
Appointed in Orange County
Term Expires Mar. 30, 1999

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
- (c) Special Permit is _____
- (c) Conditions and safeguards _____
- _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS.

COUNTY OF ORANGE) ss.:

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Ralph L. Russell
(Applicant)

Sworn to before me this

14th day of June, 1977.

PATRICIA RAZANSKY
Notary Public, State of N.Y.
No. 6870776
Appointed in Orange County
Term Expires Mar. 30, 1978

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
- (c) Special Permit is _____
- (c) Conditions and safeguards _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X
In the Matter of the Application of
RALPH FARICELLIA for an Area Variance
Application #77-19.

DECISION GRANTING
AREA VARIANCE

-----X
WHEREAS, RALPH FARICELLIA of 114 Walsh Road, Town of New Windsor,
has applied to the Zoning Board of Appeals for an area variance to permit construction
of a one-family dwelling on a lot which already houses a multi-family dwelling unit
at the intersection of Carol Avenue and Clancy Avenue in the Town of New Windsor.

WHEREAS, the applicant seeks a 19,200 sq. ft. variance (approximately
37,800 sq. ft. for lot area; 42,000 sq. ft. for multi-family unit lot area and
15,000 sq. ft. for proposed new dwelling); and 100 ft. rear yard variance; and

WHEREAS, notice of public hearing was duly sent to residences and
businesses as prescribed by law, and prescribed in The Evening News, also required by
law; and

WHEREAS, a public hearing was held on the 18th day of July, 1977; and

WHEREAS, RALPH FARICELLIA appeared with his proposal at the time of the
public hearing on the above date; and

WHEREAS, one spectator, Olga Brandt, appeared in opposition to that
portion of the application which states that the driveway for the proposed one-
family dwelling unit would be located on Carol Street. Other than the one objection,
no other remarks were made in opposition to the application.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes
the following findings of fact in this matter:

1. The proposed request of 19,200 sq. ft. for this proposal would not
affect the general character of the neighborhood in the R-5 zone.

2. The proposed request for 100 ft. rear yard variance would not affect
the general character of the neighborhood in the same zone.

WHEREAS, the Zoning Board of Appeals makes the following determinations of law in this matter:

1. The variance sought is not substantial in relation to the legally required lot area.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant an area variance of 19,200 sq. feet as hereinabove requested to Ralph Faricellia, and 100 ft. rear yard variance.

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals be directed to forward a copy of this decision to the applicant, the Town Planning Board and the Town Clerk.



THEODORE JAGSTORF, Chairman

Dated: August 15, 1977.

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date JUNE 1, 1977

To RALPH FARICELLIA
114 WALSH ROAD

.....

PLEASE TAKE NOTICE that your application dated MAY 31, 1977
for permit to ERECT ONE FAMILY DWELLING
at the premises located at CLANCY AVE
.....

is returned herewith and disapproved on the following grounds.

ONLY ONE DWELLING IS PERMITTED ON A LOT
THE SEVEN UNIT APARTMENT HOUSE REQUIRES 7000 SQ FEET OF OPEN
AREA PER DWELLING UNIT - (48-12 BULK REGULATIONS COLUMN FOUR 'RS')
LOT AREA APPROX 37,800 SQ FT
" " REQUIRED FOR APTS 42,000 SQ FT
" " " PROPOSED NEW DWELLING 15,000 SQ FT

Howard R. Covert
Building Inspector

AREA VARIANCE REQUIRED (APPROX 19200) 2 BA
SUB DIVISION REQUIRED - PLANNING BOARD

* also -

555 Union Avenue
New Windsor, N.Y. 12550
July 22, 1977

Mr. Ralph Faricellia
114 Walsh Road
New Windsor, N. Y. 12550

RE: APPLICATION FOR AREA VARIANCE #77-19
BEFORE ZONING BOARD OF APPEALS

Dear Mr. Faricellia:

This is to confirm that your application for area variance
was granted at the July 18, 1977 Public Hearing before
the New Windsor Zoning Board of Appeals.

Sincerely yours,

PATRICIA RAZANSKY, Secretary

/pr

cc: Howard Collett, Bldg/Zoning Inspector
Town of New Windsor

(21)

We the undersigned, as neighbors of
Ralph Faricellia, have no objections to the
construction of a one family dwelling unit.
located on the corner of Chancy Ave. + Carol Ave.

Joseph S. Paonessa
Lucille J. Dell
John L. Duda
Jean Sarzione
E. Makarsawicz
Loretta E. Jones
Lawrence Jones
Lucille Faricellia
Grace Sledzianowski
Emil Sledzianowski
William W. Ward Jr.
John F. Ashby
Felix Musloski
Gene Weir
Edward Weir
Michael J. Pittone
Wilma Settimi
Rose DeZabio
Ann Crudele
Michael J. Faricellia
John A. Hunter

July 18, 1977.

8:15 - Public Hearing - 7/18/77 - Faricellia

Spectators

Names:

Olga Brandt
John Petrie

Addresses:

74 Clancy Ave
106 Clancy

PUBLIC NOTICE OF HEARING BEFORE
THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New York will hold a public hearing pursuant
to Section 48-33A of the Zoning Ordinance on the following
proposition:

Appeal No. 19

Request of RALPH FARICELLIA

for a Variance ~~Special Use Permit~~ of the
regulations of the Zoning Local Law, to permit
construction of one-family dwelling unit

being a Variance ~~Special Use Permit~~ of
Section 48-12-Table of Bulk Regulations-Column 4,
for property situated at: the intersection of Carol
Avenue and Clancy Avenue, Town of New Windsor, New York

SAID HEARING will take place on the 18th day of July, 1977,
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.
beginning at 8:15 o'clock P. M.

THEODORE JARGSTORFF
Chairman



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

June 14, 1977

Ralph & Margaret Faricellia
114 Walsh Avenue
New Windsor, N.Y. 12550

RE: 13-2-1

According to my records, the attached list of property owners are within the five hundred (500) feet of the above mentioned property.

The charge for this service is \$30.00. Please remit same to the town of New Windsor, Town Clerk.

Very truly yours,

Ellsworth E. Weyant
ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor

EEW/pk
att.



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

1763 Masloski, Feliz
86 Walsh Avenue
New Windsor, N.Y. 12550

Gallage, Carmen & Elizabeth
94 Walsh Avenue
New Windsor, N.Y. 12550

Shuster, Hyman & Anna
P.O. Box 4146
Newburgh, N.Y. 12550

Hulse, Edna L.
97 Clancy Avenue
New Windsor, N.Y. 12550

Wolfe, Bruce
35 De Puyster Avenue
Beacon, N.Y. 12508

Colandrea, Michael & Elena Marie
120 Walsh Avenue
New Windsor, N.Y. 12550

Faricellia, Mary G.
134 Walsh Avenue
New Windsor, N.Y. 12550

Faricellia, Ralph & Margaret
114 Walsh Avenue
New Windsor, N.Y. 12550

Faricellia, Dominick
134 Walsh Avenue
New Windsor, N.Y. 12550

3 D Realty Inc.
MD#23 Oakridge Drive
New Windsor, N.Y. 12550

Faricellia, John & Lucille
140 Walsh Avenue
New Windsor, N.Y. 12550

Wein, Susan & Edward
154 Walsh Avenue
New Windsor, N.Y. 12550

Crudele, John
MD#23 Merline Avenue
New Windsor, N.Y. 12550

Sledzianowski, Emil
59 Clancy Avenue
New Windsor, N.Y. 12550

Faricellia, John & Michael
134 Walsh Avenue
New Windsor, N.Y. 12550

Maines, George M. & Helen N.
112 Clancy Avenue
New Windsor, N.Y. 12550

Ward, William W. Jr.
110 Clancy Avenue
New Windsor, N.Y. 12550

Wilsons & Conklins Modern Vending
106 Clancy Avenue
New Windsor, N.Y. 12550

Petrie, John J.
7 Sycamore Drive
New Windsor, N.Y. 12550

Pettine, Michael J. Jr. & Wilma
102 Clancy Avenue
New Windsor, N.Y. 12550

Heller, Kenneth H. & Patricia
100 Clancy Avenue
New Windsor, N.Y. 12550

Brandt, Olga
96 Clancy Avenue
New Windsor, N.Y. 12550

Spignardo, John N. & Dora
MD#23 Clancy Avenue
New Windsor, N.Y. 12550

Smith, Albina J. Bugiada
2 Cherry Avenue
New Windsor, N.Y. 12550



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

1763

Paonessa, Joseph S. & Agatha
4 Cherry Avenue
New Windsor, N.Y. 12550

Jones, Lawrence & Loretta E.
22 Cherry Avenue
New Windsor, N.Y. 12550

Dell, Donald J. & Lucille J.
28 Cherry Avenue
New Windsor, N.Y. 12550

Thompson, John E. & Helen A.
32 Cherry avenue
New Windsor, N.Y. 12550

Duda, Peter
80 Clancy Avenue
New Windsor, N.Y. 12550

Di Perna, Frank & Olive
2 Myrtle Avenue
New Windsor, N.Y. 12550

Hunt, Gary W. & Nancy L.
12 Myrtle Avenue
New Windsor, N.Y. 12550

Reardon, Joseph & Ethel K.
14 Myrtle Avenue
New Windsor, N.Y. 12550

Cangelosi, Gaspar & Elizabeth
20 Myrtle Avenue
New Windsor, N.Y. 12550

Carlson, Carl E. & Gwendolyne
26 Myrtle Avenue
New Windsor, N.Y. 12550

Makarewicz, Edward
31 Cherry Avenue
New Windsor, N.Y. 12550

Flagler, Richard P. & Jane
Box 116 RD#3 Plains Road
Wallkill, N.Y. 12589

Cardamone, Frank & Anna
27 Cherry Avenue
New Windsor, N.Y. 12550

Makarewicz, Stanley R. & Dorothea J.
17 Cherry Avenue
New Windsor, N.Y. 12550

Crudele, Alfred T.
64 Clancy Avenue
New Windsor, N.Y. 12550

Masloski, Louis & Helen
MD#23 Merline Avenue
New Windsor, N.Y. 12550

Tracana, Tomisina
30 Merline Avenue
New Windsor, N.Y. 12550

Garzione, Adam J. & Concetta
Merline Avenue MD#23
New Windsor, N.Y. 12550

Cimorelli, Gus & Anna S.
29 Merline Avenue
New Windsor, N.Y. 12550

Decker, Walter & Anna
23 Myrtle Avenue
New Windsor, N.Y. 12550

Kaczmarek, Della & John
13 Myrtle Avenue
New Windsor, N.Y. 12550

Bilello, Lawrence & Thompson, Fred
4 Ona Lane
New Windsor, N.Y. 12550



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

1763 Abolghassem, Abolhassan
& Aghareza
77 Walsh Road
New Windsor, N.Y. 12550

Pluchio, John & Hilda Tegla
4 Stonecrest Drive
New Windsor, N.Y. 12550

Bethlehem Holding Corp.
MD#23 Walsh Road
New Windsor, N .Y. 12550


Thompson, Ellen W.
135 Walsh Road
New Windsor, N.Y. 12550

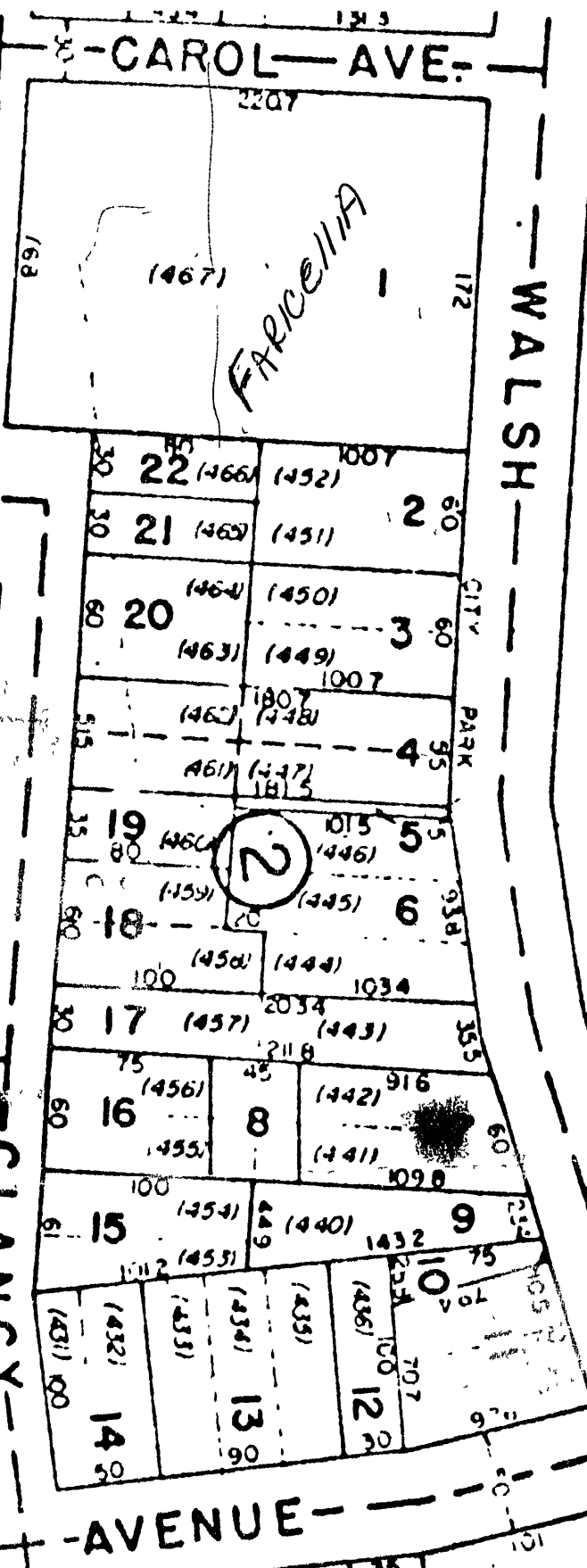
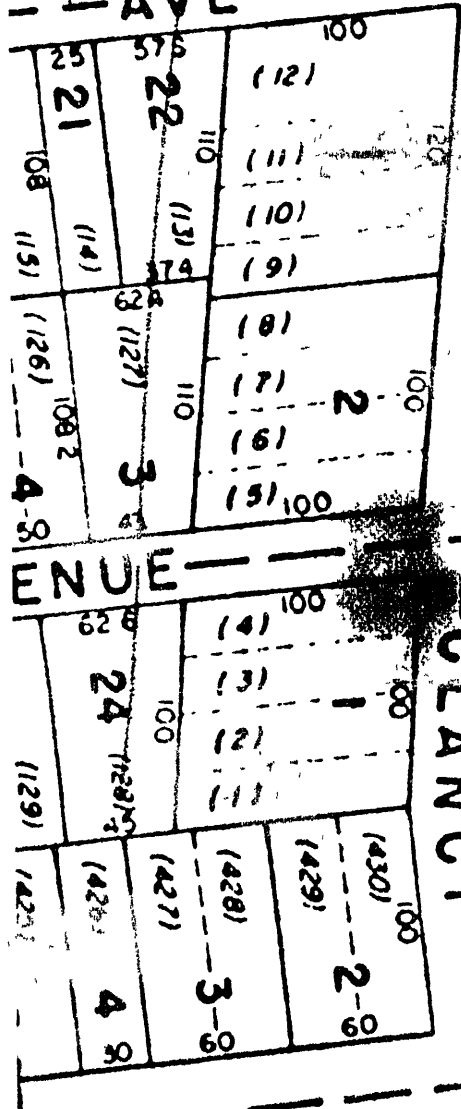
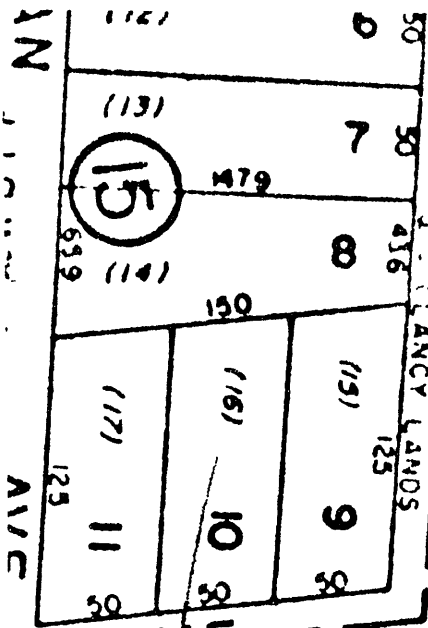
Thompson, Fred E.
MD#23 Walsh Road
New Windsor, N.Y. 12550

Miron, Stephen E. & Kenneth L.
C/O Federal Block Corp.
129 Walsh Avenue
New Windsor, N.y. 12550

Town of New Windsor
555 Union Avenue
New Windsor, N.Y. 12550

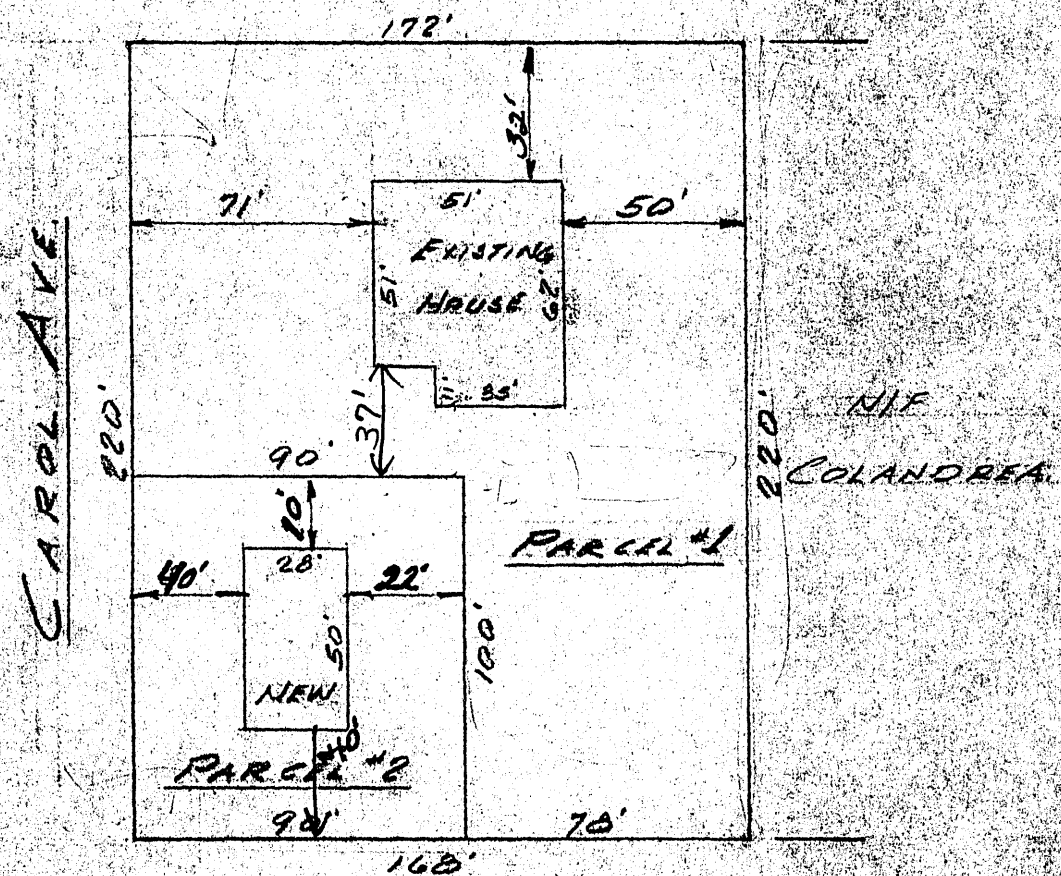
Respectfully submitted,


ELLSWORTH E. WEYANT
Sole Assessor
Town of New Windsor





WALSH AVE



CLANCY AVE

PROPERTY OF
RALPH FARICELLIA

SCALE 1" = 50'

REVISED
6-16-77